



07 FEB 2003

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280 N. Old Woodward Avenue  
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In re Application of	:	
ROSS, Ralph, et al.	:	
U.S. Application No.: 09/889,834	:	DECISION ON RENEWED
PCT No.: PCT/GB00/00176	:	PETITION UNDER
International Filing Date: 24 January 2000	:	37 CFR 1.47(a)
Priority Date: 23 January 1999	:	
Attorney's Docket No.: CAF-28502/03	:	
For: CARGO HANDLING APPARATUS	:	

This decision is issued in response to the "Renewed Petition Under 37 CFR 1.47(a)" filed on 11 October 2002. No additional petition fee is required.

### **BACKGROUND**

The procedural background for this application is set forth in detail in the decision mailed by this Office on 29 August 2002. In that decision, applicant's original petition under 37 CFR 1.47(a) was dismissed without prejudice for failure to satisfy all the requirements of a grantable petition under 37 CFR 1.47(a). Specifically, the decision held that applicant had failed to provide the required firsthand evidence that the nonsigning inventor had been provided with a copy of the complete application papers and had refused to execute the application.

On 11 October 2002, applicant filed the renewed petition considered herein.

### **DISCUSSION**

The materials submitted with the renewed petition (and specifically, the declaration of Marc D. Schneider with its first hand statement regarding the delivery of a copy of the complete application to the nonsigning inventor and the subsequent refusal to execute the application), taken in combination with the previous submission, satisfy all the requirements for a grantable petition under 37 CFR 1.47(a). The petition is therefore appropriately granted.

**CONCLUSION**

For the reasons discussed above, the renewed petition filed under 37 CFR 1.47(a) is **GRANTED**.

The application is accepted without the signature of the nonsigning inventor, Michael CRABTREE.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at the last known address of record as set forth in the petition, and a notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The application is being forwarded to the National Stage Processing Branch of the International Division for further processing in accordance with this decision. The 35 U.S.C. 371 date is 28 November 2001.



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In re Application of: ROSS, Ralph, et al.  
U.S. Application No.: 09/889,834  
PCT No.: PCT/GB00/00176  
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For: CARGO HANDLING APPARATUS

Dear Mr. Crabtree:

You are identified as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a). Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

*RM Ross*

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